



CITY COUNCIL

Public Works Committee

Monday, November 17, 2008

Agenda

5:00 p.m.

Committee Members: M. Goodman-Hinnershitz Chair, D. Sterner, S. Fuhs

I. Orange & Cherry Street Lot – Update **5:30 p.m.**

II. East Ends Contract – Update **5:40 p.m.**

IV. Recreation (CDBG Budget)
Olivets Southeast - \$85,300 proposed for 2009 (increase of \$50,300)

V. Updates **6:30 p.m.**

- PENN VEST Funding Application**
- Bernharts Park & Dam**
- Storm Water Utility Fee**
 - RFP for Storm Water Utility Fee advertised by mid June – C. Jones
 - Talking points on the implementation of the Storm Water Utility Fee for Council along with an educational brochure – C. Jones, D. Hoag
- Consent Decree Update**
 - Review Project Timeline
 - Design of Waste Water Treatment Plant Update
 - Request for monthly reports from Project & Construction manager

Public Works Committee
FY 2008
GOALS AND OBJECTIVES

GOAL 1: REVIEW AND RECOMMEND FOR ADOPTION A STORMWATER MANAGEMENT ORDINANCE TO COMPLY WITH PADEP REGULATIONS.

GOAL 2: EVALUATE CONTRACTS FOR LINE PAINTING AND TRAFFIC SIGNAL AND STREETLIGHT MAINTENANCE.

- Ensure the Public Works Department prepares specifications and awards contracts to the lowest responsible bidders, for the maintenance of essential operations.
- Develop areas, based on concerns related to individual Council Districts, requiring streetlight maintenance.

GOAL 3: REPAVE/RECONSTRUCT CITY STREETS/MAINTAIN CURBING AND SIDEWALKS

- Determine the most effective method of developing and implementing a citywide street reconstruction and repaving program.
- Develop priorities for street repaving and reconstruction.
- Identify, based on Council Districts, in need of infrastructure improvements.

GOAL 4: COMPLETE ENGINEERING PLAN REVIEWS FOR PROPOSED DEVELOPMENT SITES.

- Ensure the Public Works Committee receives regular updates regarding development projects.

GOAL 5: ADDRESS THE CLEANLINESS OF CITY STREETS

- Evaluate current sweeping program procedures in an attempt to improve operations.

GOAL 6: BEAUTIFICATION/MAINTENANCE/EXPANSION OF THE PARKS SYSTEM

- Identify necessary, amongst the existing park system, necessary aesthetic improvements and prioritize improvements.
- Receive regular updates on the implementation of the City Park Master Plan and improvements to the Pagoda.

GOAL 7: RENOVATIONS TO CITY FACILITIES.

- Ensure improvements to City facilities are completed in a timely manner.

GOAL 8: ENSURE TIMELY IMPLEMENTATION OF CAPITAL IMPROVEMENTS PLAN PROJECTS

- Monitor CIP projects and receive regular status report from Public Works Director and Managing Director.

GOAL 9: STRENGTHEN RECREATION ACTIVITIES AND PROGRAMS AS A WHOLE.

- Improve, through amendment, the existing Park and Recreation Advisory Council ordinance.
- Discuss opportunities of expanding recreation opportunities through partnering with other organizations and the community.
- Work with other external recreation providers to coordinate programs and activities
- Identify more effective methods of providing recreation opportunities to a larger segment of the community.
- Consider expanding the Park Security Program.

GOAL 10: RECEIVE REGULAR UPDATES ON COMPLIANCE WITH ALL WASTE WATER PERMIT REQUIREMENTS (NPDES AND Air Quality) AND WASTE WATER TREATMENT PLANT OPERATIONS.

GOAL 11: REVIEW CONSENT ORDER AND OPERATION AND MAINTENANCE PLAN SCHEDULE

- Begin and continue reviewing the implementation of the wastewater treatment plant design and schedule including periodic updating of financial estimates.
- Approve Consent Decree timeline.
- Receive regular and complete financial updates

GOAL 12: CREATE STORMWATER UTILITY

- Review financial impact analysis.
- Develop legislation for review and adoption by City Council.

GOAL 13: MONITOR SOLID WASTE AND RECYCLING OPERATIONS

- Determine if improvements to the existing ordinance are necessary.
- Assist with the development of an education and enforcement campaign for all city residents on proper set out requirements for all municipal solid waste and recyclables.



SUBJECT: East Ends Social Club located in Mineral Spring Park.

The Assessment Office also reported that on **October 22, 2002 the building was provided with exempt status by the Assessment Board**. They could not determine from their records who filed the application.

LEASE AGREEMENTS: Our records show the first formal lease agreement with East Ends ran from 1974 through 1979 and the second running from 1996 through 2001.

The **1974-79 lease agreement** contained provisions for monthly rental payments of \$125 and required payment of utilities and real estate taxes. Through conversations with former City officials we learned that utility costs were billed to the City and forwarded to and paid by East Ends. The City paid the property taxes but it is uncertain if East Ends ever reimbursed the City.

During **the 1996 negotiations** it was discovered that utility payments were not always reimbursed by East Ends and that the City still provided trash collection. It was also discovered that the property taxes paid by the City were not reimbursed by East Ends. During negotiations the City made it clear that East Ends needed to have the utilities switched over to their organization. East Ends was also advised that maintenance of the facility and trash collection was their responsibility.

The **1996-2001 lease agreement** raises the monthly rent payment to \$500, payable to the Finance Director's Office or his designee. This agreement also requires the Lessee to promptly remit property taxes levied on the property. The lease also requires the Lessee to maintain, repair and plow the access road from the point depicted on Exhibit A.

The lease, which expired in 2001, contains an optional 5 year renewable clause that was not exercised by the City or East Ends. The lease also allows the City to terminate the lease by providing 180 day notice if the City "decides in its sole discretion that the premises are needed for or to further the exercise of its municipal powers for the benefit of the public." It also provides that if any term of the lease is in arrears, is unpaid, or if the said Lessee underlets or stops using the premise for a private club without obtaining written consent from the City, the City may file eviction proceedings with the Courts.

The lease also states that "all goods on the premise shall be liable to distress in the event rent, utilities, property taxes are unpaid and if rubbish, trash are not removed from the premise and grounds and for non-fulfillment of and covenants herein contained. In the event the Lessee desires an assessment appeal, the Lessor will provide legal assistance with any and all costs reimbursed."

UTILITY & OTHER PAYMENTS: RAWA confirmed that East Ends pays their monthly water/sewer bills. Public Works has confirmed that the electric service has been changed to East Ends. Tax confirmed that East Ends has a business license and remits proper payments. Codes confirmed that East Ends has a current Health Permit.

ATTACHMENTS: 1974-79 and 1996-2001 Lease Agreements; Park and Rec Plan information on property